

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHAD MICHAEL CREEL,
Plaintiff,

v.

SACRAMENTO COUNTY SHERIFF
DEPARTMENT, et al.,
Defendants.

No. 2:24-cv-01533-KJM-SCR

ORDER

Plaintiff is proceeding pro se in this action, which is accordingly referred to the undersigned by operation of Local Rule 302(c)(21). The Court previously granted Plaintiff leave to proceed in forma pauperis (“IFP”) and directed service of the second amended complaint (“SAC”). ECF No. 11. Defendants Sacramento County Sheriff’s Department and Sheriff Jim Cooper have moved to dismiss the claims against them in the SAC. ECF No. 12. That motion is set for hearing on June 12, 2025, at 10:00 a.m. ECF No. 14. Plaintiff has filed a motion for disability accommodations (ECF No. 15), which appears directed at the in-court hearing, and as one form of accommodation seeks to appear remotely.

Plaintiff has not yet filed an opposition to the motion to dismiss, and such opposition is overdue. *See* Local Rule 230(c) (“Opposition, if any, to the granting of the motion shall be in writing and shall be filed and served no later than fourteen (14) days after the motion was filed.”).

The court is tentatively inclined to grant the motion to dismiss. However, considering Plaintiff's pro se status, the Court will sua sponte grant an extension of time for Plaintiff to file an opposition, if he chooses. A failure to file an opposition may "be construed by the Court as a non-opposition to the motion." LR 230(c).

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff's motion for accommodation (ECF No. 15) is GRANTED IN PART to the extent the June 12, 2025 hearing is **RESET to be conducted via Zoom and will occur at 10:30 a.m.** The courtroom deputy will provide dial-in instructions one to two weeks prior to the hearing. The motion (ECF No. 15) is otherwise denied as moot.
2. Plaintiff is granted until **June 2, 2025**, to file any opposition to the motion to dismiss. If an opposition is filed, any reply brief shall be filed by **June 10, 2025**.
3. At the June 12, 2025 hearing, to be conducted via Zoom, the parties shall also be prepared to discuss the status of service and the identity of Deputy Sheriffs #1 and #2 as alleged in the SAC to have been involved in the January 8, 2024 incident.

IT IS SO ORDERED.

DATED: May 21, 2025


SEAN C. RIORDAN
UNITED STATES MAGISTRATE JUDGE